

TOWN OF WELLESLEY



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BOARD OF APPEAL 1970 DEC 20 PM 1:50

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Norman B. Leventhal
Robert Leventhal, Joseph C. Nason
Norman K. Kasparson, Trustees under a
Declaration of Trust

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:45 p.m. on June 25, 1970, on the petition of (above stated), requesting permission to amend the plans hitherto approved for the building at 50 William Street, known as Building No. 4. Said amendment would allow the petitioner to move the easterly driveway entrance approximately 30 feet farther east to be used in common as entrance to the parking lots of both Building No. 4 and Building No. 5, and cutting an opening between the line dividing the lots. Said request was made under the provisions of Section IX of the Zoning By-law.

On May 28, 1970, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Norman B. Leventhal, represented the petitioner at the hearing.

The Planning Board offered no objection to the request, other than to note the lack of sufficient parking spaces, if the area of the sub-basement is included in the formula for determining required parking under the Zoning By-law and a net reduction in spaces available for Building No. 4 as a result of the change.

Statement of Facts

The land involved is located within an Administrative and Professional District.

The petitioner seeks permission to amend the plans approved by this Board for Building No. 4, recorded with Town Clerk on August 18, 1969, by moving the easterly driveway entrance approximately 30 feet farther east to be used in common as an entrance to the parking lots of both building No. 4 and Building No. 5 and cutting an opening between the parking lots of Building No. 4 and Building No. 5 across the rear of the boundary line dividing the lots.

Plans showing the proposed change were submitted, drawn by Homer K. Dodge, Professional Engineer, titled Plan LL and the plot and layout plan.

Decision

The Board has examined the plans submitted and has taken a view of the locus.

The buildings are all under one ownership and the construction of

Petition of Norman B. Leventhal -2-
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Building No. 5 will complete the development of the South side of William Street. The purpose of the desired lot line change is to straighten the line which was placed artificially because of the prior existence of a paper street. The petitioner now owns the land on both sides of the paper street and have petitioned in the Land Court to eliminate the same.

It is the opinion of this Board, that a special exception can be made to the provisions of Section IX 2 of the Zoning By-law, and that the desired changes can be made to the plans submitted and approved by this Board for Building No. 4. The Board understands that Building No. 4 will retain the amount of parking spaces required by the Zoning By-law and feels that the proposed change will not cause undue congestion or traffic or population, or interruption of light and air, or result in a detriment to the owner or occupants of nearby land, and to deny the request would result in substantial hardship to the petitioner.

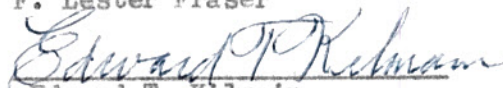
Accordingly, the petitioner's request is granted and the decision of this Board approving plans for Building No. 4, filed with the Town Clerk on August 18, 1969, is hereby amended by changing condition No. 1 to read:

"That all work shall be performed in accordance with the plan hereby approved and amended by Revised drawing RL-1, dated May 28, 1970, prepared by Homer K. Dodge, Professional Engineer."

provided, however, that in no event shall consummation of the requested change reduce the parking spaces included within the Building No. 4 premises below the number required by the Zoning By-law.


Richard O. Aldrich


F. Lester Fraser


Edward T. Kilmain

Filed with Town Clerk _____

1970 DEC 22 PM 1:59

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